

CANDIS MITCHELL
California State Bar No. 242797
FEDERAL DEFENDERS OF SAN DIEGO, INC.
225 Broadway, Suite 900
San Diego, California 92101-5008
Telephone: (619) 234-8467
Fax: (619) 687-2666
Candis_Mitchell@fd.org

Attorneys for Mr. Mario Raymond Fernandez

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(HONORABLE THOMAS J. WHELAN)

UNITED STATES OF AMERICA,)	Case No. 07cr3405-W
)	
Plaintiff,)	DATE: March 17, 2008
)	TIME: 2:00 p.m.
v.)	
)	NOTICE OF MOTIONS AND MOTIONS:
MARIO RAYMOND FERNANDEZ,)	
)	(1) TO JOIN IN WITH CO-
Defendant.)	DEFENDANT'S MOTIONS; AND
)	(2) TO DISMISS THE INDICTMENT
)	DUE TO MISINSTRUCTION OF
)	THE GRAND JURY.

TO: KAREN P. HEWITT, UNITED STATES ATTORNEY; AND
DAVID LESHNER, ASSISTANT UNITED STATES ATTORNEY:

PLEASE TAKE NOTICE that on March 17, 2008, at 2:00 p.m., or as soon thereafter as
counsel may be heard, the defendant, Mr. Mario Raymond Fernandez, by and through his counsel,
Candis Mitchell, and Federal Defenders of San Diego, Inc., will ask this Court to enter an order
granting the following motions.

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MOTIONS

The defendant, Mr. Mario Raymond Fernandez, by and through his attorneys, Candis Mitchell, and Federal Defenders of San Diego, Inc., pursuant to the United States Constitution, the Federal Rules of Criminal Procedure, and all other applicable statutes, case law and local rules, hereby moves this Court for an order to:

- 1) To Join in Co-Defendent's Motions;
- 2) To Dismiss the Indictment Due to Misinstruction of the Grand Jury.

These motions are based upon the instant motions and notice of motions, the attached statement of facts and memorandum of points and authorities, and all other materials that may come to this Court's attention at the time of the hearing on these motions.

Respectfully submitted,

Dated: March 3, 2008

s/ Candis Mitchell
CANDIS MITCHELL
Federal Defenders of San Diego, Inc.
Attorneys for Mr. Fernandez
Candis_Mitchell@fd.org

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